IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 4124 of 2006

DATED: 27.9.2006

Between:

K.Puspagiri petitioner

And

The Regional Manager,
APSRTC, Nalgonda Region
Nalgonda dist & another Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 4124 of 2006

ORAL ORDER:

The present writ petition is filed questioning the action of the respondents in not granting special grade/stagnation increment to the petitioner on completion of 12 years of total service in the corporation.

Today, when the matter is taken up, learned counsel for petitioner submitted that the matter is squarely covered by the judgment of the Division Bench of this Court in W.A. No. 1861 of 2005 dated 7.10.2005. A counter affidavit is filed by the respondents stating that the petitioner has not approached the concerned authorities for placement in special grade and that his case is being examined in terms of Circular PD No.30 of 2005 dated 4.6.2005 for placement on special grade duly considering the total service rendered irrespective of transfer on loss of seniority.

Heard learned counsel for petitioner and learned Standing Counsel for respondent corporation.

The relevant portion of Judgment of this Court in W.A. No. 1861 of 2005 dated 7.10.2005 reads as under;

> *"….as per the settlement arrived at, under Sction 12(3) of the Industrial Disputes Act, 1947 between the employees union and the management, a circular has been issued vide PD-30/2005 dated 4.6.2005 wherein it is stated that the employees, who were denied their special grade on account of their transfer from one region to another, on request on loss of*

seniority, would be allowed special grades on completion of 12 years of service in the same category and their pay would be fixed notionally from the date of their eligibility and the monetary benefit consequent on fixation should be paid with effect from 1.4.2005. He submits that having regard to the said Circular, the direction issued by the learned single judge is not sustainable.

Considering the submissions made on behalf of both the parties and also in view of the Circular already issued by the appellants-corporation as aforesaid, it is needless to mention that the respondent also would be entitled to be treated on the same lines as contemplated there under, by making necessary payments with effect from 01.04.2005 and fixing the scale notionally from the date of his eligibility.

Subject to above observation, the writ appeal is disposed of. There shall be no order as to costs."

The issue raised in the present writ petition is squarely covered by the order of the Division Bench in W.A. No. 1861 of 2005. Further, it is the case of the respondents in the counter affidavit that the case of the petitioner is being examined in terms of Circular PD No. 30 of 2005 dated 4.6.2005. Hence, I deem it appropriate to dispose of the writ petition directing the respondents to pass appropriate orders in the matter in terms of Circular PD No. 30 of 2005 dated 4.6.2005, expeditiously and communicate the same to the petitioner.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 27.9.2006
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